

Appendix D to Resolve Chapter 140 Report

Natural Resources Protection Review Standards for Public Water Supplies

Who will be protected: 326 Community Groundwater Systems and 51 Community Surface Water Systems.

Where are these resources:

1. An area within 300 feet for most wells, or a calculated (modeled) contributing area for large community wells.
2. The shoreland zone of 47 lakes and ½ mile stretches of shoreland for 10 rivers and streams used as community water sources.

What will be regulated:

1. Single-family residential development will be subject to Permit by Rule for earthmoving, septic location, design and installation, and oil or chemical storage.
2. New industrial/commercial/subdivision development will be reviewed by the DWP and/or the PWS for risk potential,
3. Approvals will be conditioned on the implementation of best management practices.
4. Activities required for operation and maintenance of the public water supply are allowed within these areas.

How do we propose to do this: Either as part of NRPA or under a parallel process. Maine DWP will provide technical review and some inspection. Authority can be delegated to a willing and technically capable PWS or municipality.

Existing NRPA standards to be applied:

4. Interfere with natural water flow. The activity will not unreasonably interfere with the natural flow of any surface or subsurface waters.

5. Lower water quality. The activity will not violate any state water quality law, including those governing the classification of the State's waters.

Existing authority to be revised and expanded:

2. Water supply notification. If the resource subject to alteration or the underlying ground water is utilized by a water company, municipality or water district as a source of supply, the applicant for the permit shall, at the time of filing an application, forward a copy of the application to the water company, municipality or water district by certified mail and the department shall consider any comments concerning the application filed with the commissioner within a reasonable period, as established by the commissioner.

Applicability notes: For surface water supplies, a preliminary GIS analysis indicates that, statewide, ¾ of the area affected by this proposal is under protective ownership or control. The remaining ¼ is subject to normal shoreland zoning and would potentially generate applications. The DWP's wellhead protection database includes measurements of distance to property lines. An analysis of this information indicates that, on average, 80% of the area subject to this regulation is owned by the public water system. The remaining 20% would potentially be subject to development, and thus, review. Total area regulated statewide is approximately 6,000 acres.

Natural Resources Protection Review Checklist for Public Water Supplies

Public Water Supply Protection Area:	No	Yes, but no impact	Yes with impact	List resources used as a basis for conclusion or describe project
Is the proposed activity in a Community Public Water Supply Protection Area*				
Industrial or commercial development must be reviewed by the Public Water System or Drinking Water Program				
Does the project involve: earth moving				
Septic system				
oil or chemical storage				
Does the project interfere with the natural flow of any surface or subsurface waters?				
Will this activity violate any state water quality law?				

If the answers to any of the questions above are yes, with impact, describe mitigation measures below:

* 300Ft circumference or modeled primary contributing area. As noted on maps supplied by DWP.
shoreland zone of 47 lakes and ½ mile stretches of shoreland for 10 rivers and streams used as community water sources